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November 29, 2006

The Honorable Howard P. "Buck" McKeon
U.S. House of Representatives
2351 Rayburn HOB
Washington, DC 20515

Dear Chairman McKeon:

I want to thank you for your service to the United States. More recently, I appreciate your efforts on behalf of Texas-based Airlines, American and Continental, during consideration of the Pension Protection Act of 2005 (Public Law 109-280).

I am writing today to call your attention to a particularly egregious provision that was included in the Pension Protection Act of 2005. One of the fundamental principles in the bill is that under-funded pension plans should not be allowed to make lump sum distributions. Section 103, however, delays this prohibition for single-employer plans, funded below 60 percent, until the end of the current labor contract or 2010, whichever comes sooner. As you know, the Delta Retired Pilots Pension plan falls into this category. In light of the September 6, 2006 Bankruptcy Court ruling that Delta can transfer its retired pilot pension plan obligations to the PBGC, this provision will unfairly divert pension plan resources away from current retirees.

While parity for American and Continental Airlines continues to be my first priority in any pension bill fix, should an opportunity arise to rectify this situation, I urge your support.

Sincerely,



Michael C. Burgess, M.D.

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